

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT SMITH Jr.,

Plaintiff,

v.

WASHINGTON STATE AND
SERGEANT R. ROBERTS,

Defendants.

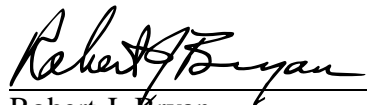
Case No. C06-5635RJB

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's motion for default is **DENIED**.
- (3) Clerk is directed to send copies of this Order to plaintiff, counsel for defendants, and to the Hon. J. Kelley Arnold.

DATED this 31st day of May, 2007.


Robert J. Bryan
United States District Judge